

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
IN RE WORLD TRADE CENTER  
DISASTER SITE LITIGATION

ROBERT SIENKIEWICZ and BARBARA SIENKIEWICZ

Plaintiffs,

v.

AMEC CONSTRUCTION MANAGEMENT, INC, et al

Defendants

21 MC 100 (AKH)

**DOCKET NO.**

10-CV-6711 (AKH)

**ATTORNEY'S  
SUPPLEMENTAL  
DECLARATION**

I, GREGORY J. CANNATA, ESQ. being duly sworn, deposes and says:

1. I am submitting this Declaration to respond to the questions raised by the Court.
2. My office initially filed suit in connection with the plaintiff's work as a unionized mason tender working in the "mound" on September 9, 2010. The suit was properly docketed as a 21 MC 100 case.
3. Four days after we filed the original summons and complaint, my office received work records from the plaintiff's union revealing that the plaintiff also performed September 11 related work at the Staten Island Ferry Terminal. Accordingly on September 13, 2010 we filed an "Initiating Complaint" against the New York city Department of Transportation and related defendants and indicated that the suit should be listed under Docket 21 MC 102/103/ the "Initiating Complaint" was the procedure we were using in the litigation at the time.
4. On November 10, 2010 Your Honor ordered the plaintiffs to replead the "check-off" complaints that had been used previously. Accordingly on January 20, 2011, my

office filed an Amended Complaint under Docket 21 MC 103 against the “mound” defendants and against the Ferry Terminal defendants. Accordingly that complaint should properly be docketed under 21 MC 103 since the plaintiff’s work occurred in both “on-site” and “off-site”.

5. I hope this clarifies issues for the Court.

Dated: New York, New York  
February 8, 2012

Gregory J. Cannata and Associates

By:   
Gregory J. Cannata  
Attorneys for Plaintiffs  
233 Broadway, Floor 5  
New York, New York 10271  
Tel. (212) 553-9206  
Fax (212) 227-4141